

GAO

Report to the Chairman, Subcommittee  
on National Security and Foreign  
Affairs, Committee on Oversight and  
Government Reform, House of  
Representatives

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September 2010

# MILITARY PERSONNEL

## Sustained Leadership and Oversight Needed to Improve DOD's Prevention and Treatment of Domestic Abuse



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Highlights of [GAO-10-923](#), a report to the Chairman, Subcommittee on National Security and Foreign Affairs, Committee on Oversight and Government Reform, House of Representatives.

## Why GAO Did This Study

In 2001, the Deputy Secretary of Defense stated that domestic violence will not be tolerated in the Department of Defense (DOD). Despite this posture, DOD's clinical database indicates that 8,223 incidents met criteria for domestic abuse in fiscal year 2009. However, because this database includes only cases reported to military clinical offices, it does not represent all cases. In response to a congressional request, GAO evaluated whether DOD is able to determine the effectiveness of its domestic abuse efforts. To conduct this review, GAO reviewed legislative requirements and DOD guidance, analyzed domestic abuse data, and interviewed officials involved in domestic abuse prevention and treatment and persons eligible to receive services at five military bases.

## What GAO Recommends

GAO recommends that DOD finalize guidance on how the services are to comply with DOD policies and develop an oversight framework to guide its efforts to prevent and treat domestic abuse that includes collecting data on contributing factors and establishing metrics to determine the effectiveness of DOD's awareness campaigns. In commenting on a draft of this report, DOD generally concurred with GAO's recommendations.

View [GAO-10-923](#) or key components. For more information, contact Brenda S. Farrell at (202) 512-3604 or [farrellb@gao.gov](mailto:farrellb@gao.gov).

September 2010

## MILITARY PERSONNEL

### Sustained Leadership and Oversight Needed to Improve DOD's Prevention and Treatment of Domestic Abuse

## What GAO Found

DOD has taken some actions to prevent and treat domestic abuse in response to recommendations made by the Defense Task Force on Domestic Violence in 2001 through 2003 and by GAO in a 2006 report. However, DOD has no oversight framework with goals, milestones, and metrics with which to determine the effectiveness of its efforts. This issue is complicated by uncertainty regarding the completeness of DOD's data on domestic abuse. In 2007, DOD issued guidance on military protective orders after GAO had found that its lack of guidance had resulted in inconsistent practices. However, DOD closed its Family Violence Policy Office in 2007, which had staff dedicated to overseeing the implementation of recommendations made by the Defense Task Force, after DOD had taken action on some key recommendations. At that time, the specific responsibilities of that office for overseeing implementation of the remaining Task Force recommendations were not reassigned, although overall oversight responsibility remained with the Under Secretary of Defense for Personnel and Readiness. DOD guidance assigns many domestic abuse-related responsibilities to this office, including responsibility for developing DOD's domestic abuse instruction and ensuring compliance. GAO found the following examples in which having sustained leadership attention and an oversight framework would have helped guide DOD in obtaining information that would allow it to fully manage its efforts and determine their effectiveness:

- Significant DOD guidance has been in draft since 2006. As a result, the services are anticipating ways to implement the draft guidance, which contains, among other things, new guidelines for the services' clinical treatment and evaluation boards, without finalized guidance.
- The database intended to satisfy legislative requirements enacted in 2000 continues to provide incomplete data, and DOD still collects domestic abuse data in two databases. In 2006, GAO reported on data discrepancies in these databases and recommended that they be reconciled. This recommendation remains open, and those problems continue today. Because DOD cannot provide accurate numbers of domestic abuse incidents, it cannot analyze trends.
- It is DOD policy to target families most at risk of domestic abuse, but DOD has not defined goals for its efforts or metrics with which to measure progress. DOD collects only information on gender, rank, age, and substance use. Without information on other factors, such as length and number of deployments, DOD will be unable to fully analyze risk factors. During GAO's site visits, these factors were routinely mentioned.
- DOD lacks metrics for measuring the effectiveness of its awareness campaigns. As a result, it does not know how to direct its resources most effectively.

Without sustained leadership and an oversight framework, DOD will remain unable to assess the effectiveness of its efforts to prevent and treat domestic abuse.

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## Abbreviations

DOD	Department of Defense
OSD	Office of the Secretary of Defense
USD (P&R)	Office of the Under Secretary of Defense for Personnel and Readiness

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United States Government Accountability Office  
Washington, DC 20548

September 22, 2010

The Honorable John F. Tierney  
Chairman  
Subcommittee on National Security and Foreign Affairs  
Committee on Oversight and Government Reform  
House of Representatives

Dear Mr. Chairman:

In 2001, the Secretary of Defense noted in a memorandum to all senior Department of Defense (DOD) leaders that domestic violence will not be tolerated in DOD. He stated that “We must make every possible effort to establish effective programs to prevent domestic violence but when it does occur, we have a duty to protect the victims and take appropriate action to hold offenders accountable.”<sup>1</sup> National estimates indicate that approximately 1.5 million women and 835,000 men in the United States are physically assaulted or raped by intimate partners annually. DOD’s clinical database indicates that 8,223 reported incidents were determined to meet the criteria for domestic abuse in fiscal year 2009. However, because this database includes only cases reported to military offices that provide clinical services, it does not represent all cases of domestic abuse that occur throughout DOD.

Congress, in the National Defense Authorization Act for Fiscal Year 2000, required the Secretary of Defense to (1) establish a central database of information on domestic violence incidents involving members of the armed forces<sup>2</sup> and (2) establish a Department of Defense Task Force on Domestic Violence (Task Force).<sup>3</sup> The law charged the Task Force with establishing a strategic plan that would allow DOD to more effectively address domestic violence matters within the military. In fiscal years 2001, 2002, and 2003, the Task Force issued three reports containing almost 200 recommendations to improve the safety of victims, accountability for offenders, coordination among support-service providers, and recording of

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<sup>1</sup> Secretary of Defense Memorandum, *Domestic Violence* (Feb. 28, 2001).

<sup>2</sup> According to DOD Manual 7730.47-M, *Manual for Defense Incident-Based Reporting System* (Jul. 25, 2003), the Defense Incident-Based Reporting System is the database intended to satisfy the legislative requirement.

<sup>3</sup> Pub. L. No. 106-65, §§ 591, 594 (1999).

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data on cases of domestic abuse.<sup>4</sup> To coordinate implementation of these recommendations, DOD established a Family Violence Policy Office in January 2003. In 2007, the Deputy Under Secretary of Defense for Military Community and Family Policy closed this office after DOD had taken actions in response to what it reported to be 82 percent of the recommendations made by the Defense Task Force on Domestic Violence. However, key recommendations, such as the longstanding one to maintain a database of the incidents of domestic violence, have still not been completed.

In 2006, we issued a report stating, among other things, that DOD had taken action on a majority of the Defense Task Force's recommendations.<sup>5</sup> For example, we reported that while DOD had established a domestic violence central database, the database was not yet fully operational and did not contain complete information about reported incidents of domestic violence. We also reported that until the database had complete and accurate data, DOD could not fully understand the scope of the problem.<sup>6</sup> The National Defense Authorization Act for Fiscal Year 2010 required us to review and assess the progress DOD had made in implementing recommendations contained in our 2006 report.<sup>7</sup> To satisfy that mandate, we issued a report in April 2010 stating that DOD had addressed one of the recommendations in our 2006 report to improve its efforts to prevent and treat domestic violence and taken steps toward implementing two more, but it had not taken any actions on four other recommendations.<sup>8</sup> (See app. II for a summary of the status of DOD

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<sup>4</sup> *Defense Task Force on Domestic Violence, 2001; Second Annual Report, 2002; Third Year Report, 2003* (Arlington, VA: Feb. 28, 2001; Feb. 25, 2002; and 2003).

<sup>5</sup> GAO, *Military Personnel: Progress Made in Implementing Recommendations to Reduce Domestic Violence, but Further Management Action Needed*, [GAO-06-540](#) (Washington, D.C.: May 24, 2006).

<sup>6</sup> In responding to a draft of this report, DOD noted that it had contributed funding to the Centers for Disease Control and Injury Prevention for the National Intimate Partner and Sexual Violence Surveillance System. As a result of a survey to be performed under that effort, DOD stated that it believes that in 2011, it will have a reliable estimate of the annual extent of domestic violence committed against women on active duty by their spouses or intimate partners and against civilian wives by their active-duty husbands. During our review, we received no details on the methodology of this survey, so we cannot comment on it.

<sup>7</sup> Pub. L. No. 111-84, § 568 (2009).

<sup>8</sup> GAO, *Military Personnel: Status of Implementation of GAO's 2006 Recommendations on DOD's Domestic Violence Program*, [GAO-10-577R](#) (Washington, D.C.: Apr. 26, 2010).

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actions taken in response to GAO's recommendations, as it appeared in the April 2010 report.)

DOD guidance defines domestic abuse as domestic violence or a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person of the opposite sex who is (a) a current or former spouse, (b) a person with whom the abuser shares a child in common, or (c) a current or former intimate partner with whom the abuser shares or has shared a common domicile. Domestic violence is defined as any offense listed in the United States Code, the Uniform Code of Military Justice, or state law that involves the use, attempted use, or threatened use of force or violence when that offense is directed against a person of the opposite sex who meets the same criteria as defined for domestic abuse. Domestic violence also includes the violation of a lawful order issued for the protection of a person of the opposite sex as defined above.<sup>9</sup>

You asked us to report on DOD's prevention and treatment of domestic abuse. Specifically, this report evaluates the extent to which DOD is able to determine the effectiveness of its domestic abuse policies and procedures.

To evaluate the extent to which DOD is able to determine the effectiveness of its domestic abuse policies and procedures, we reviewed laws, DOD- and service-level guidance, official documents, and available data on domestic abuse. To assess the reliability of the Defense Incident-Based Reporting System and the Family Advocacy Program's Central Registry, we reviewed documents and interviewed knowledgeable officials about the systems' quality controls for ensuring the data are complete and accurate. In addition, we obtained samples of data provided from each system. We determined that the Family Advocacy Program's Central Registry data were sufficiently reliable for our purposes—which were to (1) identify the incidence of domestic abuse cases reported to Family Advocacy Program offices and (2) describe the demographic factors that may contribute to domestic abuse in cases reported to the Family Advocacy Program offices. We determined that the Defense Incident-Based Reporting System data were not sufficiently reliable for these

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<sup>9</sup> Department of Defense Instruction 6400.06, *Domestic Abuse Involving DoD Military and Certain Affiliated Personnel* (Aug. 21, 2007). DOD adopted these definitions in 2004. Prior to 2004, a distinction was not made between domestic abuse and domestic violence.



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purposes (see app. III). We expanded on work we had underway to satisfy a congressional mandate to report on progress DOD had made to implement recommendations we had made in a 2006 report.<sup>10</sup> We also interviewed knowledgeable officials and submitted formal questions about DOD's efforts to prevent and treat domestic abuse to the Office of the Under Secretary of Defense for Personnel and Readiness. That office provided us with written answers representing DOD's official position. We visited five military installations in the United States, where we conducted 69 discussion groups with military and civilian personnel, including officials from the Family Advocacy Program, law enforcement personnel, enlisted servicemembers, and victim advocates. Further details about our scope and methodology can be found in appendix I.

We conducted this performance audit from July 2009 to August 2010 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

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### DOD Organization and Responsibilities for Preventing and Treating Domestic Abuse

Current DOD guidance assigns responsibilities for managing DOD's efforts to prevent and treat domestic abuse to, among others, the Under Secretary of Defense for Personnel and Readiness and the Principal Deputy Under Secretary of Defense for Personnel and Readiness.<sup>11</sup> For example, DOD Instruction 6400.06 charges the Under Secretary of Defense for Personnel and Readiness with developing and maintaining that instruction as well as ensuring compliance. Additionally, DOD Directive 6400.1 assigns a number of responsibilities related to management of the Family Advocacy Program, which is the primary vehicle for DOD's efforts to prevent and

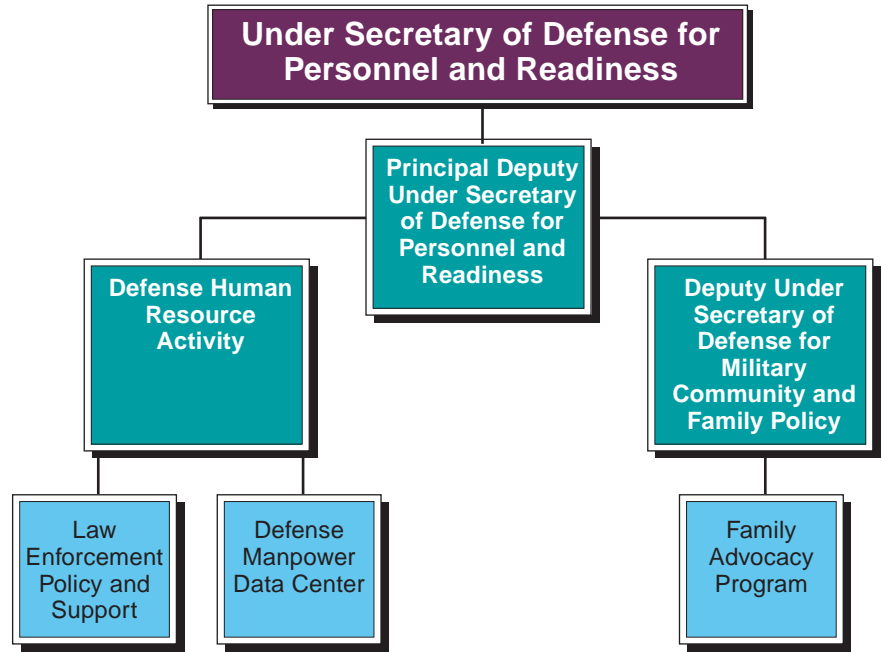
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<sup>10</sup> [GAO-06-540](#) and [GAO-10-577R](#).

<sup>11</sup> Department of Defense Instruction 6400.06, *Domestic Abuse Involving DoD Military and Certain Affiliated Personnel* (Aug. 21, 2007); Department of Defense Directive 6400.1, *Family Advocacy Program (FAP)* (Aug. 23, 2004); Department of Defense Manual 6400.1-M-1, *Manual for Child Maltreatment and Domestic Abuse Incident Reporting System* (July 15, 2005); and Department of Defense Manual 6400.1-M, *Family Advocacy Program Standards and Self-Assessment Tool* (Aug. 20, 1992).

treat domestic abuse, to the Principal Deputy Under Secretary of Defense for Personnel and Readiness. A DOD manual, issued under the authority of DOD Directive 6400.1, assigns certain responsibilities to the Director of the Defense Manpower Data Center, which maintains two databases containing information on domestic abuse: (1) the Family Advocacy Program's Central Registry, which contains data on clinical cases involving domestic abuse; and (2) the Defense Incident-Based Reporting System, which contains data on domestic violence cases that involve military law enforcement. The Defense Human Resource Activity's Office of Law Enforcement Policy and Support has a role in managing the Defense Incident-Based Reporting System. (See fig. 1 for an organizational chart showing the offices involved in managing DOD's domestic abuse activities.)

**Figure 1: Organization Chart Showing the Offices Involved in Managing DOD's Prevention and Treatment of Domestic Abuse**



Source: GAO's presentation of DOD information.

In August 2004, DOD issued Directive 6400.1, which updated guidance addressing DOD's *Family Advocacy Program*. In this directive, DOD states that it is DOD policy to prevent child and domestic abuse through public awareness, education, and family support programs provided by the Family Advocacy Program and through standardized programs and

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activities for military families who have been identified as at risk of experiencing child abuse or domestic abuse. It goes on to state that it is DOD policy to promote the early identification and coordinated, comprehensive intervention, assessment, and support to persons identified as victims of child or domestic abuse. According to the directive, it is also DOD policy to provide assessment, rehabilitation, and treatment for persons alleged to have committed child and domestic abuse.

This directive assigns a number of responsibilities for elements of the Family Advocacy Program to the Office of the Principal Deputy Under Secretary of Defense for Personnel and Readiness. Among the responsibilities assigned to this office are to develop a coordinated approach to family advocacy issues; coordinate the management of this program with similar medical and social programs servicing military families; collect and analyze Family Advocacy Program data; assist the military services in their efforts to establish, develop, and maintain comprehensive Family Advocacy Programs; collaborate with the DOD components to establish Family Advocacy Program standards; and monitor and evaluate existing Family Advocacy Programs at the headquarters level.

In July 2005, DOD issued Manual 6400.1-M1, under the authority of Directive 6400.1, which addresses reporting requirements associated with domestic abuse. The manual assigns responsibility to the Under Secretary of Defense for Personnel and Readiness or his or her designee for reviewing information collected, analyzed, and reported by the military services on domestic abuse that is captured in the Family Advocacy Program's Central Registry, which is an automated, incident-based reporting system that includes the number of reports each military installation's Family Advocacy Program Office responds to (i.e., "cases to be worked"). The Defense Manpower Data Center, located in the Defense Human Resource Activity, is DOD's central repository for data, and according to the manual, the Defense Manpower Data Center is responsible for receiving data provided by Family Advocacy Program managers of the DOD components and maintaining these data. The Defense Manpower Data Center is also responsible for assisting in the creation of statistical reports of domestic abuse from the Central Registry, and according to the DOD manual that addresses the Defense Incident-Based Reporting System, for matching Family Advocacy Program Central Registry data with data from the Defense Incident-Based Reporting System

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to satisfy reportable information requirements.<sup>12</sup> While the Data Center would be responsible for producing domestic violence-related reports based on information in the Defense Incident-Based Reporting System, there are currently no reporting requirements making it necessary for them to do so. As noted elsewhere in this report, these two databases have not been matched recently to determine whether they overlap or could be combined. Data reliability issues are addressed elsewhere and in the scope and methodology section of this report (see app. I).

In August 2007, DOD issued guidance more broadly addressing its domestic abuse policies and procedures, DOD Instruction 6400.06, *Domestic Abuse Involving DoD Military and Certain Affiliated Personnel*. This guidance assigns responsibility to the Under Secretary of Defense for Personnel and Readiness for collaborating with the military services to establish procedures and programs consistent with its instruction and maintaining a central DOD database of domestic violence incidents. The Deputy Under Secretary of Defense (Military Community and Family Policy) is assigned responsibility for, among other things, issuing standardized guidelines to the secretaries of the military departments for developing a coordinated approach to addressing domestic abuse and monitoring compliance with the DOD instruction.

Another office in the Office of the Principal Deputy Under Secretary of Defense for Personnel and Readiness has a lead role in managing the database of law enforcement incidents involving servicemembers, which is called the Defense Incident-Based Reporting System. The Law Enforcement Policy and Support Office, which is located in the Defense Human Resource Activity, is involved with policy areas related to operation of this system.

#### DOD Maintains Two Separate Databases Containing Information on Cases of Domestic Abuse

Historically, DOD has maintained two separate databases on domestic abuse. DOD uses the Defense Incident-Based Reporting System, which was created following the enactment of the Uniform Federal Crime Reporting Act of 1988, to capture criminal incidents of domestic violence. DOD maintains a second database—the Family Advocacy Program’s Central Registry, which was created in 1994—to capture information about domestic abuse cases reported to the Family Advocacy Program. The Central Registry contains cases that were reported to the Family

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<sup>12</sup> Department of Defense Manual, 7730.47-M, *Manual for Defense Incident-Based Reporting System* (Jul. 25, 2003).

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Advocacy Program, regardless of whether or not law enforcement was involved. Conversely, the Defense Incident-Based Reporting System contains information about domestic violence cases that involved law enforcement, regardless of whether or not they were reported to the Family Advocacy Program. In 1999, Congress directed the Secretary of Defense to create a central database of domestic violence incidents involving servicemembers and to include information about the actions taken by command authorities in response to these incidents.<sup>13</sup> We reported in 2006 that, in an effort to satisfy the legislation, DOD established the central domestic violence database within its Defense Incident-Based Reporting System. However, we also noted that the database did not contain complete information about reported incidents of domestic violence; nor did it contain information from the Family Advocacy Program's Central Registry.<sup>14</sup>

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## DOD Has Made Some Positive Changes but Has No Oversight Framework to Determine the Effectiveness of DOD's Efforts to Prevent and Treat Domestic Abuse

DOD has made some positive changes to its efforts to prevent and treat domestic abuse. However, it is unable to determine the effectiveness of these efforts because the department lacks an oversight framework to guide the continued implementation of its efforts. In April 2010, we reported on the progress DOD had made in implementing the recommendations in our 2006 report.<sup>15</sup> More recently, in response to our April 2010 report, DOD stated that it intended to develop an action plan that outlines initiatives it will take to further respond to our 2006 recommendations. Additional plans for further improvements are contained in draft guidance that DOD anticipates issuing in 2010. If implemented as drafted, this guidance should provide some important management tools for DOD to use in standardizing its efforts to prevent and treat domestic abuse and in collecting data that will help it analyze the effectiveness of these efforts. However, because DOD currently lacks an oversight framework with clear objectives, milestones, performance measures, and criteria for measuring progress, it does not have the information necessary to evaluate the effectiveness of its efforts to prevent and treat domestic abuse or to make fact-based improvements. This issue is compounded by uncertainty regarding the completeness of DOD's data

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<sup>13</sup> National Defense Authorization Act for Fiscal Year 2000, Pub. L. No. 106-65, § 594 (1999), codified at 10 U.S.C. § 1562.

<sup>14</sup> [GAO-06-540](#).

<sup>15</sup> [GAO-10-577R](#) and [GAO-06-540](#).

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on domestic abuse. While it may be difficult to measure the effectiveness of DOD's efforts to prevent domestic abuse, our prior work has shown that determining how to measure progress when implementing change is critical to making improvements.<sup>16</sup> At present, the Office of the Under Secretary of Defense for Personnel and Readiness (1) has limited visibility over the number of incidents of domestic abuse DOD-wide, including both those contained in its law enforcement and clinical databases; (2) does not systematically collect data on factors that may contribute to domestic abuse; and (3) cannot determine how effective its awareness campaigns are. Also, though DOD officials and servicemembers stated that domestic abuse has a negative effect on readiness, we recognize that measuring the effect would be difficult.

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**DOD Has Made Some  
Positive Changes and  
Plans Future  
Improvements When It  
Issues Draft Guidance**

In April 2010, we reported that DOD had addressed one of the seven recommendations in our 2006 report and taken steps to implement two others. (See app. II for more details on our recommendations and actions DOD has taken to implement them.) For example, in 2007, it issued DOD Instruction 6400.06, which clarified its guidance on clergy confidentiality. In responding to a portion of a second recommendation, DOD also clarified its guidance on military protective orders. In our 2006 report, we had stated that DOD's lack of guidance on military protective orders had resulted in inconsistent practices among the services in how they distributed copies of these orders. More recently, in response to our April 2010 report, DOD stated that it intended to develop an action plan that outlines initiatives it will take to further respond to our 2006 recommendations. DOD has also provided us with an updated matrix summarizing actions it has taken in response to recommendations made by the Defense Task Force on Domestic Violence.<sup>17</sup> DOD also has guidance that has been in draft since 2006 and includes significant guidance to the

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<sup>16</sup>GAO, *Results Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations*, [GAO-03-669](#) (Washington, D.C.: Jul. 2, 2003).

<sup>17</sup> Because DOD gave us this matrix after our fieldwork had been completed, we did not have time to evaluate DOD's actions in detail.

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services.<sup>18</sup> For example, Volume 3 of the manual that DOD has in draft sets out a process for determining whether allegations of abuse meet the criteria to be entered into the services' Family Advocacy Program Central Registry, DOD's database of clinical cases, while Volume 4 of the draft manual prescribes guidelines for Family Advocacy Program assessment, clinical rehabilitative treatment, and ongoing monitoring of individuals who have been reported to the Family Advocacy Program. While we believe that many of the provisions in the current version of the draft guidance may represent important improvements to its efforts to prevent and treat domestic abuse, DOD has still not finalized and issued this guidance. It is not clear why the guidance has been in draft since 2006. During our field visits, we found that all services were anticipating ways to implement the draft guidance without knowing whether the draft guidance will be finalized as it is currently written.

The draft guidance, if finalized as currently written, would prescribe new procedures for determining whether allegations of domestic abuse meet criteria for entry into the service Family Advocacy Program Central Registry (the database of clinical cases of domestic abuse, discussed later). For example, one major change introduced in this draft guidance is that the services would no longer form Case Review Committees; instead, they would use Incident Determination Committees. These new committees would be multidisciplinary teams, including command representatives, with similar membership and voting rules across the services. They would evaluate alleged reports of domestic abuse and determine whether these cases meet the relevant criteria for domestic abuse and entry into the Family Advocacy Program's Central Registry. This change could represent an improvement because it should help to better ensure that the services involve senior-level command authorities in the determination process and that uniform criteria for determining whether allegations of domestic abuse are entered into the Family Advocacy Program's Central Registry are applied by each service. It could also help to better ensure the accuracy and completeness of data on

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<sup>18</sup> DOD Instruction 6400.01, *Family Advocacy Program*; (draft provided to GAO in Jan. 2010); DOD Manual 6400.01-M-V1, *Family Advocacy Program Standards* (draft provided to GAO in Jan. 2010); DOD Manual 6400.01-M-V2, *Family Advocacy Program: Volume 2, Child Abuse and Domestic Abuse Incident Reporting System* (draft provided to GAO in Jan. 2010); DOD Manual 6400.01-M-V3, *Family Advocacy Program: Clinical Case Staff Meeting and Incident Determination Committee* (draft provided to GAO in Jan. 2010); and DOD Manual 6400.01-M-V4, *Family Advocacy Program: Guidelines for Clinical Intervention for Persons Reported as Domestic Abusers*; (draft provided to GAO in Jan. 2010).

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domestic abuse incidents that are reported to the services' Family Advocacy Program's Central Registry and allow DOD to do cross-service comparisons and trend analyses.

In the area of clinical treatment, Volume 4 of DOD's draft guidance states that clinical intervention approaches should reflect the current state of knowledge. In addition, Volume 4, if finalized, would establish quality assurance procedures related to clinical intervention as well as evaluation and accreditation reviews for installation domestic abuse treatment programs. These provisions may help ensure that the services are consistently using clinical practices recognized as most effective throughout the field.

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### **DOD Lacks an Oversight Framework That Would Allow It to Evaluate the Efforts of All Organizations Involved in Preventing and Treating Domestic Abuse**

While DOD has established some mechanisms for overseeing its efforts to prevent and treat domestic abuse, it lacks a comprehensive oversight framework to manage the prevention and treatment of domestic abuse by all the organizations involved. Our prior work has demonstrated the importance of using an oversight framework to enable successful program oversight.<sup>19</sup> Such a framework would include clear objectives, milestones, performance measures, and criteria for measuring progress, as well as evaluative performance measures with clearly defined data elements with which to analyze data. It has also shown that having an effective plan for implementing initiatives and measuring progress can help decision makers determine whether initiatives are achieving their desired results. Without such an oversight framework, DOD does not have the information necessary to perform the management functions involved in evaluating and monitoring the efforts of all organizations in preventing and treating victims and abusers. In our 2006 report, we recommended that DOD develop an oversight framework to monitor implementation of the recommendations made by the Defense Task Force on Domestic Violence.<sup>20</sup> DOD concurred with this recommendation. However, as of April 2010, the department had not taken action. In an official response to our written questions, DOD stated that the responsibility for developing this framework "mistakenly was not reassigned" after the Family Violence Policy Office was closed in 2007. During our current engagement, we noted the lack of a broader oversight framework to enable DOD to measure whether it was meeting its goals for all its domestic abuse efforts.

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<sup>19</sup> [GAO-03-669](#).

<sup>20</sup> [GAO-06-540](#).



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DOD's instruction on domestic abuse, which sets out many responsibilities and requirements related to DOD's domestic abuse prevention and response efforts, charges the Under Secretary of Defense for Personnel and Readiness with developing and maintaining the instruction and ensuring compliance. It also directs the Under Secretary to program, budget, and allocate funds and other resources to meet the policy objectives of the instruction, which include (1) preventing and eliminating domestic abuse in DOD and (2) providing for the safety of victims; holding abusers appropriately accountable for their behavior; and coordinating the response to domestic abuse with the local community. Despite these duties, this office has not taken certain steps needed to carry out its responsibilities.

The Office of the Secretary of Defense has established some annual metrics from which some trends can be analyzed using data in the Family Advocacy Program's Central Registry. For example, as we discuss later in this report, this office can present information on the numbers of cases reported to Family Advocacy Program offices and the rates of domestic abuse per thousand married couples (see app. III for some of these data.) DOD can also use this database to present demographic information on the persons in that database who are victims and perpetrators, their age, rank, and whether substance use was involved. However, as we discuss elsewhere, the Central Registry does not represent all cases of domestic abuse that occur throughout DOD. In order for DOD to manage all cases of domestic abuse that occur throughout the department, these metrics would have to be applied to both criminal and noncriminal cases. There are also other metrics, including performance goals, that would facilitate the evaluation of its domestic abuse efforts and the assessment of their effectiveness. For example, the office has not established

- goals for objectives such as reducing the frequency and severity of domestic abuse incidents and reducing recidivism among alleged abusers,
- metrics with which to analyze trends in order to measure progress, and
- metrics to determine whether its awareness campaigns are effective.

According to DOD officials and servicemembers we contacted, domestic abuse has a negative effect on readiness mostly due to the amount of time spent by commanders and others on this issue. However, we recognize that measuring the effect would be difficult, if not cost prohibitive.

Because DOD does not have an oversight framework for its domestic abuse efforts, decision makers do not have the information they need to

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evaluate the effectiveness of these efforts or all the information needed to help prevent domestic abuse from occurring or ensuring that servicemembers who are victims of domestic abuse receive the care they need.

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### DOD Cannot Determine How Many Incidents of Domestic Abuse Involving Servicemembers Occur or Analyze Trends

DOD has not clearly defined who is responsible for ensuring the accuracy of data on domestic abuse and matching data in its database on clinical cases—the Family Advocacy Program’s Central Registry—to data in its database on law enforcement cases, the Defense Incident-Based Reporting System. As a result, DOD continues to have long-standing problems with the reliability and completeness of data on incidents of domestic abuse and does not have visibility over the total number of these incidents that occur throughout DOD.

In a June 2010 letter to us, the Acting Deputy Under Secretary of Defense for Military Community and Family Policy stated that staff attention was not prioritized for a database with a limited operational or oversight purpose, when other operational requirements that affect much greater numbers of military personnel have had higher priority. The Acting Deputy Under Secretary cited the fact that, based on reports to the Family Advocacy Program, which are contained in the Central Registry, the annual rate of servicemembers alleged to have committed domestic violence against their spouses is less than 1 percent of married servicemembers. As cited earlier in this report, cases reported to Family Advocacy Program offices do not include all domestic violence cases reported to law enforcement. However, if we were to assume that the rate cited by DOD represents a baseline, it is important to remember that many individuals other than the victims are also affected by domestic violence, including family, other servicemembers, and the general military community. Incidents of domestic abuse, in addition to affecting the military community at large on a near-term basis, can also have expanded long-term consequences. For example, the National Coalition Against Domestic Violence states that witnessing violence between one’s parents or caretakers is the strongest risk factor of transmitting violent behavior from one generation to the next. The coalition also states that boys who witness domestic violence are twice as likely to abuse their own partners and children when they become adults. Positive leadership and oversight are critical in communicating the importance of this issue. In prior work,

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we have reported that committed, sustained leadership and persistent attention by all parties are indispensable for making lasting change.<sup>21</sup>

In an official response to our questions, DOD stated that it is the individual service's responsibility to submit accurate and complete information to the Defense Incident-Based Reporting System. Through a number of interviews, data requests, and official statements, we confirmed that the services are sending some data to the Defense Incident-Based Reporting System. However, according to a senior official from the Defense Manpower Data Center (the office responsible for managing the database), the services are providing only a fraction of the required data, and reporting from the services has not improved significantly in the last several years. According to this official, the Defense Incident-Based Reporting System remains unable to provide accurate, complete, and usable statistical information about domestic violence incidents.<sup>22</sup> We first reported on the lack of reliable and complete data in the Defense Incident-Based Reporting System in a 2006 report.<sup>23</sup> In that report we recommended that DOD develop a comprehensive management plan to address deficiencies in the data. In our April 2010 follow-up report, we found that this plan had not been developed.<sup>24</sup> A comprehensive oversight framework could include a plan to resolve data discrepancies and provide for the development of reliable and complete data with which to understand the full magnitude of the domestic abuse problem and analyze any trends. In a June 2010 letter to us, the Acting Deputy Under Secretary of Defense for Military Community and Family Policy stated that DOD planned to develop and implement a management plan "to meet the requirements for the domestic violence database in the statute." According to the letter, the Under Secretary of Defense for Personnel and Readiness acknowledges that this office "has failed to create a database, including the action taken by command in response to every reported incident of domestic violence for which there was sufficient evidence to take disciplinary action." The Acting Deputy Under Secretary further states, "It was originally believed

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<sup>21</sup> [GAO-03-669](#).

<sup>22</sup> According to this Defense Manpower Data Center official, data contained in the Family Advocacy Program's Central Registry are more reliable, but this database contains only cases reported to Family Advocacy Program offices. In addition, we determined that the data from the Family Advocacy Program's Central Registry were sufficiently reliable for our purpose.

<sup>23</sup> [GAO-06-540](#).

<sup>24</sup> [GAO-10-577R](#).

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### DOD Is Currently Using Its Central Registry Database to Report Numbers of Domestic Abuse Cases

that this requirement could be fulfilled through the integration of data contained in existing databases.” DOD provided no time frame in which this plan will be completed, and we continue to believe that such a plan is necessary.

DOD currently uses its Family Advocacy Program’s Central Registry to officially report numbers of domestic abuse cases that occur throughout the services (see app. III for an example of these numbers). In addition to the fact that the Central Registry only contains information on domestic abuse incidents that were reported to the Family Advocacy Program, the data also may not include the following:

1. Cases that involved law enforcement but were not reported to the Family Advocacy Program.<sup>25</sup>
2. Cases involving reserve servicemembers who were not on active duty when the incident occurred.<sup>26</sup>
3. Cases involving servicemembers who receive nonmilitary clinical services that were not reported to DOD because the servicemembers chose not to report them or because of civilian confidentiality rules.
4. Cases handled by civilian law enforcement systems.<sup>27</sup>
5. Cases reported to a commander (but not to law enforcement or the Family Advocacy Program) in which the commander took no action, took administrative action, or issued nonjudicial punishment.<sup>28</sup>
6. Information on the disposition of cases (i.e., whether the alleged offender was convicted, served a sentence, or received a nonjudicial punishment).<sup>29</sup>

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<sup>25</sup> DOD and service policy require that cases reported to law enforcement also be reported to the Family Advocacy Program. However, DOD has no systematic method of matching the two databases to ensure that this policy is consistently followed.

<sup>26</sup> DOD has emphasized that members of the reserve component who are not on federal active duty are considered civilian.

<sup>27</sup> By formal protocol or informal practice, civilian law enforcement agencies may report domestic violence cases to DOD. However, DOD has no systematic method of ensuring that all civilian cases are reported.

<sup>28</sup> Nonjudicial punishment, pursuant to Article 15 of the Uniform Code of Military Justice, could result in a number of punishments such as reducing a members’ grade, forfeiture of pay, adding extra duty, and imposing restrictions on freedom.

<sup>29</sup> The Defense Incident-Based Reporting System similarly may not contain Family Advocacy Program cases or information listed in items 2 through 6.

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We recognize that some of these data would be difficult to obtain, but whether they are obtained or not, the fact that these data are consistently missing further illustrates potential limitations in DOD's data on domestic abuse incidents affecting servicemembers. Because neither database alone accounts for all cases of domestic violence in the military, DOD must match the data from these two databases to derive a complete count of all cases of domestic violence. It also remains important for DOD to track noncriminal domestic abuse cases. From 2000 until 2003, while the Defense Task Force on Domestic Violence was in operation, DOD attempted to manually match data from the Defense Incident-Based Reporting System and the Central Registry to compare information on specific cases. There was no method found for smoothly matching the information from the two databases to obtain a complete picture of domestic abuse incidents, both criminal and noncriminal. Matching was not attempted after that time. A senior official in the Defense Manpower Data Center, the office responsible for maintaining both systems, stated that because of the condition of the data in the law enforcement system, it would not be feasible to conduct a match of the two databases in 2010. DOD Family Advocacy Program officials agreed that it would not be possible to link the Central Registry data with Defense Incident-Based Reporting System data. At this time, DOD has not made a successful data match, and therefore it is still unable to report the total number of domestic violence incidents throughout the military.

There Is No Requirement for Reporting of Data from the Law Enforcement Database to the Under Secretary of Defense for Personnel and Readiness

Oversight by the Under Secretary of Defense for Personnel and Readiness of the number of incidents of domestic abuse is limited. The National Defense Authorization Act for Fiscal Year 2000 required that the secretaries of the military departments maintain data and report annually to the administrator of the database, which is the Defense Manpower Data Center. The center maintains the corporate databases on domestic abuse. The law does not set up any additional requirements for producing or reporting data on these incidents to the Under Secretary of Defense for Personnel and Readiness. A senior DOD official responsible for database policy stated that any reporting of statistics from the Defense Incident-Based Reporting System is currently done in response to ad hoc requests from DOD or Congress and that no regular reports on domestic violence incidents are produced. On the other hand, the Defense Manpower Data Center does provide an annual report to the Under Secretary of Defense for Personnel and Readiness that includes the numbers of cases reported to the Family Advocacy Program's Central Registry.

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## DOD Lacks Data That Would Allow It to Target At-Risk Groups

Apart from limitations in overall incident data collected by DOD, the department also does not systematically collect data on all factors that could contribute to domestic abuse. As a result, it is limited in its ability to measure how well it is targeting at-risk groups. A comprehensive oversight framework could establish specific goals, such as reducing the frequency and severity of domestic abuse incidents and reducing recidivism among alleged abusers. It could also establish metrics with which to measure progress in meeting those goals. According to the DOD Family Advocacy Program Directive, it is DOD policy to prevent domestic abuse by providing standardized programs and activities for families identified as being most at risk of experiencing domestic abuse.<sup>30</sup> In addition, according to the DOD *Manual for Child Maltreatment and Domestic Abuse Incident Reporting System*,<sup>31</sup> it is DOD policy to maintain a central database to analyze the scope of domestic abuse, as well as information about domestic abuse victims and offenders to determine the effectiveness of Family Advocacy Program services and to develop changes in policy to address domestic abuse. The reporting requirements established by the manual are somewhat limited and include information about individuals, such as gender, age, rank, whether the individual had consumed alcohol or drugs, and the individual's relationship to the victim or offender. Without collecting and analyzing information on other factors that may contribute to domestic abuse, such as deployment or financial instability, DOD is limited in its ability to effectively target at-risk military groups, determine the effectiveness of Family Advocacy Program services, and make fact-based changes to policy. (DOD's draft guidance mentions these additional risk factors, as discussed later, but does not require the services to report this information to DOD.)

During our site visits, servicemembers and civilian personnel identified several factors that they believe contributed to domestic abuse. We spoke

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<sup>30</sup> According to the Centers for Disease Control and Prevention, risk factors are factors that are associated with a greater likelihood of intimate partner violence victimization or perpetration. Risk factors are contributing factors and may or may not be direct causes. Not everyone who is identified as "at risk" becomes involved in violence.

<sup>31</sup> Department of Defense Manual 6400.1-M-1, *Manual for Child Maltreatment and Domestic Abuse Incident Reporting System* (Jul. 15, 2005). This manual provides guidance related to the Family Advocacy Program's Central Registry, which is the database that contains information on domestic and child abuse cases reviewed by the services' clinical review boards.

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with participants in 52 discussion groups about these factors.<sup>32</sup> Of the risk factors mentioned by these groups, deployment was cited most often as a potential risk factor. Group participants' concerns regarding deployment included the perception that domestic abuse seems to increase following a servicemember's return, as well as the concern that preparing for deployment may contribute to domestic abuse. The second most cited potential risk factor for domestic abuse was financial problems, which several groups directly associated with deployment. For example, a couple might experience problems in managing their joint finances when one of them is deployed and not able to participate in this management. Other factors cited less often were a family history of domestic violence and infidelity or the perception of infidelity.

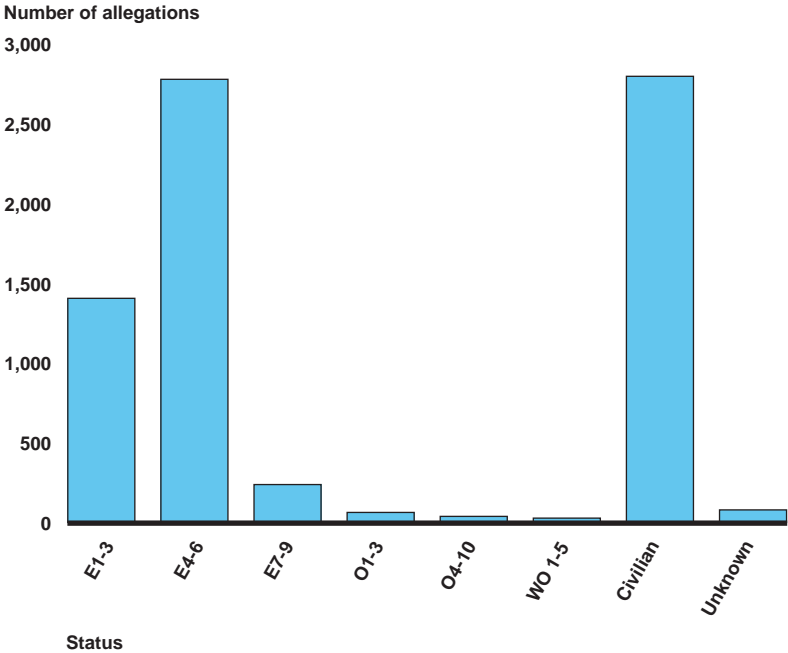
Several characteristics of typical victims and perpetrators of domestic abuse were mentioned during our site visits. In particular, participants in 34 of 52 discussion groups stated that younger servicemembers seemed to be more likely to be involved in domestic abuse incidents than older servicemembers. More than half of the discussion groups that commented on contributing factors also had participants who said that they believed alcohol contributed to domestic abuse. DOD systematically collects some basic data from all services on the perpetrators and victims of domestic abuse. These data, which are recorded in the Family Advocacy Program's Central Registry, offer some insight into demographic characteristics of offenders and victims. For example, in fiscal year 2009, data reported to the Family Advocacy Program's Central Registry indicate that 67 percent of abusers were male, while 33 percent were female. Sixty-two percent of the abusers were active-duty servicemembers, while 38 percent were not. (Figure 2 confirms that the number of active-duty military perpetrators is higher than the number of perpetrators who are nonmilitary, referred to in the figure as civilians. However, DOD officials stressed that it is very difficult for DOD to control the behavior of civilian perpetrators, as DOD does not have the authority to mandate that these perpetrators be educated, counseled, or prosecuted.) Among domestic abuse victims, 47 percent were active-duty servicemembers, while 52 percent were not. (See figs. 2 and 3 for illustrations of the demographic characteristics of perpetrators and victims of domestic abuse incidents reported to the

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<sup>32</sup> Appendix I presents more detail on how we grouped participants into those who were eligible to receive Family Advocacy Program services and those who provided these and other responder services. When speaking with potential users, we discussed issues with enlisted males and females separately and male and female officers separately. We tailored our questions to each group's role in providing or receiving services.

Family Advocacy Program’s Central Registry by military status or rank and by age.) Central Registry data also allow DOD to determine what percentage of domestic abuse cases involved alcohol or drugs. For example, according to these data, in fiscal year 2008, out of the 7,386 cases that were determined to meet criteria for domestic abuse, 29 percent reported the use of alcohol and/or drugs by the alleged offender; 18 percent reported the use of alcohol and/or drugs by the victim; and 14 percent reported the use of alcohol and/or drugs by both the victim and alleged offender.

**Figure 2: Military or Nonmilitary Status and Rank of Substantiated Perpetrators of Domestic Abuse Reported to DOD’s Family Advocacy Program’s Central Registry for Fiscal Year 2009**



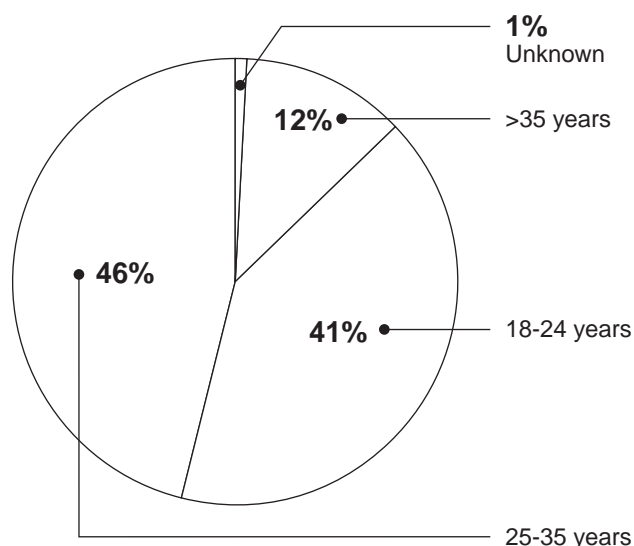
Source: GAO’s presentation of data from DOD’s Family Advocacy Program Central Registry.

Note: Civilians in this figure include nonmilitary spouses and intimate partners of active-duty servicemembers.

Rank abbreviations are defined as follows: E1-3 = Enlisted 1-3; Enlisted 4-6; Enlisted 7-9; Officers 01-03; Officers 04-10; Warrant Officers 1-5.



**Figure 3: Age of Substantiated Domestic Abuse Victims in DOD's Family Advocacy Program's Central Registry for Fiscal Year 2009**



Source: DOD's Family Advocacy Program Central Registry.

DOD Has Identified Additional Potential Risk Factors in Draft Guidance but Does Not Require the Services to Report This Information to DOD

In the draft manual accompanying DOD's draft Family Advocacy Program Instruction, DOD recognizes that a number of additional risk factors can contribute to domestic abuse.<sup>33</sup> Volume Four of the draft manual, *Family Advocacy Program: Guidelines for Clinical Intervention for Persons Reported as Domestic Abusers*, identifies the following risk factors for domestic abuse, among others:

- Previous physical and sexual violence and emotional abuse committed in current and previous relationships.
- Relationship problems such as infidelity or significant ongoing conflict.
- Financial problems.
- Mental health issues and/or disorders.
- Experience of traumatic events during military service, including events that resulted in physical injuries.

<sup>33</sup> Draft DOD Manual 6400.01-M-V4, *Family Advocacy Program: Guidelines for Clinical Intervention for Persons Reported as Domestic Abusers* (draft provided to GAO in Jan. 2010).

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DOD's draft manual also addresses issues related to deployment among factors to be considered in treatment planning and requires clinicians to include information about whether the servicemember is scheduled to be deployed or has been deployed within the past year in their assessments. For example, the draft manual states that servicemembers scheduled to deploy in the near future may be highly stressed and therefore at risk for using poor conflict management skills. Likewise, the draft guidance states that a servicemember deployed in a combat operation or in an operation where significant trauma occurred may be at a higher risk of committing domestic abuse upon return.

The draft manual recognizes that these and other factors potentially contribute to domestic abuse and requires clinicians to collect information about these factors during initial and follow-up assessments. However, the draft guidance, if formalized as currently written, will not require that the clinicians report this information so that it can be aggregated for analysis. Additionally, draft guidance does not contain any other new reporting requirements for collecting data that would allow DOD to better conduct cross-service analyses to understand the role that deployment and other factors may have on domestic abuse. Consequently, while the draft guidance should result in improvements in data that are collected, if implemented as currently written, DOD and the military services will still be limited in their ability to effectively target at-risk military families, determine the effectiveness of Family Advocacy Program services, and make fact-based changes to domestic abuse policy.

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### Domestic Abuse May Have a Negative Effect on Readiness, but Measuring the Effect Would Be Difficult

High-ranking DOD officials have frequently stated that servicemembers' mental states have direct effects on mission readiness. For example, during a speech delivered in December 2009, the Chairman of the Joint Chiefs of Staff acknowledged that the military's ability to carry out its mission is directly affected by the family's health. He stated that "our readiness to be able to carry out our mission as United States military is directly impacted, fully integrated, by how our families are taken care of, paid attention to, and that is a fundamental readiness issue." Similarly, a September 2009 Air Force press release stated that "mission and family life are closely connected. When issues surface in either area, both are affected." An Army press release in April 2008 stated that "family readiness equals mission readiness." A U.S. Navy press release in December 2009 stated that the Navy is losing too many personnel to domestic violence, drugs, alcohol, and suicide.

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During our site visits we heard from participants in 27 discussion groups that domestic abuse negatively affects mission readiness. Groups' concerns included the belief that domestic abuse negatively affects mission readiness because of the large amount of time the command is required to spend dealing with the issue. Another concern was that servicemembers involved with domestic abuse may be unable to deploy, which can place additional resource strains on a unit. One Army officer commented that a commander may not replace a servicemember who has a pending domestic abuse case with a deployable servicemember until the case is finalized. Additional concerns from groups included that servicemembers involved with domestic abuse are often distracted by these issues, thereby affecting the servicemember's ability to do his or her job. This distraction can then affect the safety, cohesion, and morale of the unit. One Air Force commander said that a domestic abuse case may result in "mistakes that could have significant ramifications." While it is commonly noted that domestic abuse has a negative effect on mission readiness, it would be difficult, if not cost prohibitive, to quantify that effect.

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## Effect of Lautenberg convictions on readiness

The 1996 amendment to the Gun Control Act of 1968, referred to as the "Lautenberg Amendment," prohibits a servicemember with a qualifying conviction from carrying a firearm and results in a measurable effect of domestic abuse on readiness.<sup>34</sup> DOD has an instruction that addresses the law and provides procedures for its implementation, as well as related DOD policies.<sup>35</sup> As explained in the instruction, the Lautenberg Amendment prohibits anyone who has been convicted of a misdemeanor crime of domestic violence from shipping or transporting in interstate or foreign commerce, or possessing in or affecting commerce, any firearm or ammunition; or receiving any firearm or ammunition which has been shipped or transported in interstate or foreign commerce. As explained in the DOD instruction, the Lautenberg Amendment also makes it a felony for any person to sell or otherwise dispose of firearms or ammunition to any person he or she knows or has reasonable cause to believe has been convicted of a "misdemeanor crime of domestic violence."

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<sup>34</sup> Omnibus Consolidated Appropriations Act, 1997, Pub. L. No. 104-208, § 658 (1996), codified at 18 U.S.C. § 922.

<sup>35</sup> Department of Defense Instruction 6400.06, *Domestic Abuse Involving DoD Military and Certain Affiliated Personnel* (Aug. 21, 2007).

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During our site visits, one Air Force senior noncommissioned officer explained that the Lautenberg Amendment would bar an airman from carrying a weapon and thereby “reduce his or her value as an airman.” A Navy senior noncommissioned officer said that he would be short a person for certain duties if the servicemember were convicted of a Lautenberg offense. An officer from the Marine Corps explained that the Lautenberg Amendment has a major effect on readiness because an individual who cannot carry a weapon is “of no use” to the Marine Corps. An official from the Army Readiness Office stated that the number of servicemembers with such convictions is small and that the consequent effect on overall readiness is minimal.

The military—and the civilian sectors—rely mainly on self-reporting of Lautenberg convictions because the reporting of these convictions by all 50 states varies. According to the Director of the Family Advocacy Program, there is no standardized form for all counties and states to use to record information on domestic violence offenses, and whether this information is sent to the military depends on the state. As such, all servicemembers with qualifying convictions may not be known. This finding coincides with a finding reported recently by the Army in its *Army: Health Promotion, Risk Reduction, Suicide Prevention*.<sup>36</sup> In that report, the Army noted “a widening gap between the extent of high risk behavior and leaders’ situational awareness, which permits a high risk population of individuals to move undetected through the ranks.” One reason cited by the Army for this lack of awareness is that there are “disciplinary and reporting shortfalls by commanders, law enforcement and program/service managers [that] create an unknown gap in visibility of criminal activity.”

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## Conclusions

Incidents of domestic abuse, in addition to affecting the victims, the families, and the general military community at large, can also have expanded, long-term consequences on the children of victims. At present, DOD lacks the sustained leadership and oversight of its efforts to prevent and treat domestic abuse that would enable the department to accurately assess the effectiveness of these efforts. Oversight frameworks, with specific goals, milestones, and metrics for assessing results, can help federal agencies focus on priorities and measure the success of their activities. However, implementation of such a framework for this issue in

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<sup>36</sup> Army, *Army: Health Promotion, Risk Reduction, Suicide Prevention, Report 2010* (Jul. 2010).

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this context will require the sustained leadership of DOD officials to maintain the long-term focus on and accountability for stated objectives. DOD took several actions after it established the Family Violence Policy Office to oversee implementation of the Defense Task Force on Domestic Violence's recommendations. However, the dismantling of that office without reassigning responsibilities of the staff who were dedicated to overseeing the implementation of Task Force recommendations may have lessened DOD's efforts to document, prevent, and treat domestic abuse. And though overall responsibility for domestic abuse efforts remained with the Office of the Under Secretary of Defense for Personnel and Readiness, this office has taken few actions to demonstrate sustained commitment to improving its efforts in this area. One significant instruction on DOD's domestic abuse policies, for example, has been in draft for 4 years. Also, problems with DOD's law enforcement and clinical databases have not been resolved in a decade. In 1999, Congress directed the Secretary of Defense to establish and maintain a central database containing information on domestic violence incidents involving servicemembers. In our 2006 report, we recommended that the Secretary of Defense direct the Under Secretary of Defense for Personnel and Readiness to develop, in conjunction with the service secretaries, a comprehensive management plan to address deficiencies that focuses on ensuring that accurate and complete data exist and that all instances in the Defense Incident-Based Reporting System and Central Registry are matched and reported annually, as required in the Department of Defense's Manual 7730.47-M. Because that recommendation remains open and valid, we reiterate the need for the Secretary of Defense to take action to implement the recommendation. Having reliable data on the numbers of domestic abuse incidents that occur throughout DOD, as well as information about factors that may contribute to domestic abuse, would allow DOD to determine the extent of the problem and its effect on readiness, identify trends, and assess the department's response. At present, DOD's leadership lacks the visibility over information needed to understand the magnitude of the domestic abuse problem, identify trends in domestic abuse, and use fact-based information to improve the effectiveness of its efforts.

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## Recommendations for Executive Action

In addition to reiterating our prior recommendation regarding the need for a management plan to address deficiencies in DOD's database of domestic violence, we recommend that the Secretary of Defense direct the Under Secretary of Defense for Personnel and Readiness to take the following two actions:

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- Finalize and issue DOD's Instruction 6400.01 on the Family Advocacy Program, which has been in draft since 2006, and the accompanying multivolume manual that is also currently in draft form.
  - Develop an oversight framework to guide the efforts of all DOD organizations involved in preventing and treating victims and perpetrators of domestic abuse and evaluate their effectiveness. At a minimum, such a framework should include long-term goals, objectives, and milestones; strategies to be used to accomplish goals; and criteria and metrics for measuring progress. As part of that oversight framework,
    - (a) collect and analyze data on factors that DOD has identified as contributing to domestic abuse to help ensure that the department's efforts to prevent and treat domestic abuse result in reduced frequency and severity of domestic abuse incidents and reduced recidivism among alleged abusers and
    - (b) develop and use metrics to measure the effectiveness of campaigns to raise awareness of domestic abuse services available.

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## Agency Comments and Our Evaluation

In written comments on a draft of this report, DOD concurred with one recommendation and partially concurred with the other. In addition, DOD agreed that two recommendations we had made in our 2006 report still had merit.<sup>37</sup> DOD's comments are reprinted in appendix IV. DOD also provided technical comments, which we incorporated where appropriate.

In concurring with our first recommendation,<sup>38</sup> that the department needs to finalize and issue DOD's Instruction 6400.01 on the Family Advocacy Program, which has been in draft since 2006, DOD stated that the instruction and accompanying manual had already been resubmitted into the policy coordination process. DOD attributed the delay in issuing the guidance to the fact that DOD had been addressing and resolving the services' concern that the new guidance increases senior-level command involvement during a period of high operational tempo. DOD officials stated that this concern has now been addressed. However, DOD did not provide a new estimate of when the guidance would be finalized.

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<sup>37</sup> [GAO-06-540](#).

<sup>38</sup> In appendix IV, DOD refers to this recommendation as recommendation 3.

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In partially concurring with our second recommendation that DOD develop an oversight framework to guide the efforts of all organizations involved in preventing and treating victims and perpetrators of domestic abuse and evaluate their effectiveness,<sup>39</sup> DOD agreed that an oversight framework for DOD organizations addressing domestic violence is appropriate. However, DOD also stated that domestic violence is not unique to DOD but is a national problem and that the department is ready to work with other agencies that have federal responsibilities in this area to select uniform goals, objectives, and metrics on domestic violence from among any that they have developed, to adapt any that are not directly applicable to the active component of the military, and to work collaboratively to create them if they do not exist. While we agree that such coordination with other federal agencies would enrich the efforts that DOD has ongoing in the area of domestic abuse, we continue to believe that DOD needs to first develop an oversight framework for all DOD organizations to set long-term goals, objectives, milestones, and metrics to gauge the progress of the programs it has under its control in preventing and treating domestic abuse. Further, DOD stated that the services have already begun to collect and analyze data on factors that contribute to domestic abuse. However, it stated that it is the responsibility of the services to increase public awareness of domestic violence and the services are in the best position to develop and use metrics to measure the effectiveness of their efforts. We continue to believe that the Office of the Secretary of Defense has an oversight role in developing metrics to measure the effectiveness of the services' public awareness campaigns.

In responding to a recommendation we made in a prior report that DOD develop a comprehensive management plan to address deficiencies in the Defense Incident-Based Reporting System and that data from this system and the Family Advocacy Program Central Registry be matched and reported annually, DOD again concurred and stated that it is developing such a management plan. It also acknowledged that it has failed to create a fully operable database, including the action taken by commands in response to every reported incident of domestic violence for which there was sufficient evidence to take disciplinary action. DOD noted that it has taken steps to prepare to match its two data systems, such as reverifying the data fields in the law enforcement database to ensure that domestic violence reports can be matched to Family Advocacy Program data on

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<sup>39</sup> In appendix IV, DOD refers to this recommendation as recommendation 4.

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physical or sexual abuse of a spouse or intimate partner. However, DOD did not state when it planned to actually match the two databases to assure itself that the databases are complementary and combine to provide an accurate count of the total number of domestic abuse cases.

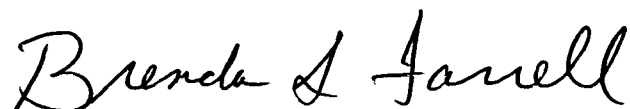
In responding to another recommendation we made in a prior report, that DOD take appropriate steps to ensure that all commander actions related to domestic violence incidents are entered into law enforcement systems, DOD concurred. It stated that the department has made substantial efforts to ensure that commanders are aware of their responsibilities for reporting disciplinary actions related to domestic violence to the law enforcement database and will continue to explore strategies with the services to increase compliance with this requirement.

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As agreed with your office, unless you publicly announce the contents earlier, we plan no further distribution of this report until 30 days from the report date. At that time, we will send copies to the Secretary of Defense and to the appropriate congressional committees. This report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-3604 or by e-mail at [farrellb@gao.gov](mailto:farrellb@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to the report are listed in appendix V.

Sincerely yours,

A handwritten signature in black ink that reads "Brenda S. Farrell". The signature is written in a cursive, flowing style.

Brenda S. Farrell  
Director, Defense Capabilities and Management



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# Appendix I: Scope and Methodology

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To evaluate the extent to which the Department of Defense (DOD) is able to determine the effectiveness of its efforts to prevent and treat domestic abuse, we reviewed relevant laws as well as current and draft DOD guidance related to the department's domestic abuse activities, including DOD Instruction 6400.06, *Domestic Abuse Involving DoD Military and Certain Affiliated Personnel*, and DOD Directive 6400.1, *Family Advocacy Program*. We also interviewed DOD officials responsible for domestic abuse efforts, including the Acting Deputy Under Secretary of Defense for Military Community and Family Policy and the Director of the Family Advocacy Program. We expanded on work we had underway to satisfy a statutory mandate to report on progress DOD had made to implement recommendations we had made in a 2006 report.<sup>1</sup> In addition, we submitted formal questions about DOD's efforts to prevent and treat domestic abuse to the Office of the Under Secretary of Defense for Personnel and Readiness (USD (P&R)), and that office provided us with written answers representing DOD's official position. We obtained and reviewed documents from the USD (P&R) which (1) summarized the actions the office has taken since 2006 on recommendations made by the Defense Task Force on Domestic Violence and (2) outlined initiatives the office intends to take to further respond to our 2006 recommendations. In addition, we reviewed service policies and guidance related to domestic abuse.

To assess the reliability of the Defense Incident-Based Reporting System and the Family Advocacy Program's Central Registry, we reviewed documents and interviewed knowledgeable officials about the systems' quality controls for ensuring the data are complete and accurate. In addition, we obtained samples of data provided from each system. We determined that the Family Advocacy Program's Central Registry data were sufficiently reliable for our purposes—which were to (1) identify the incidence of domestic abuse cases reported to Family Advocacy Program offices and (2) describe the demographic factors that may contribute to domestic abuse in cases reported to the Family Advocacy Program offices. We determined that the Defense Incident-Based Reporting System data were not sufficiently reliable for these purposes.

In conducting our review of DOD's domestic abuse activities, we interviewed officials at the Office of the Under Secretary of Defense for Personnel and Readiness' Military Community and Family Policy Office,

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<sup>1</sup> [GAO-06-540](#) and [GAO-10-577R](#).

Family Advocacy Program Office, Office of Law Enforcement Policy and Support, and the Defense Manpower Data Center; the Air Force, Army, and Marine Corps Family Advocacy Program Offices; the Navy's Fleet and Family Support Center; and the Marine Corps' Manpower and Reserve Affairs Office. We visited five installations in the United States, including Patuxent River Naval Air Station, Maryland; Fort Carson, Colorado; Norfolk Naval Station, Virginia; Eglin Air Force Base, Florida; and Cherry Point Marine Corps Air Station, North Carolina. We selected these locations based on the installations' population size, the rate of reported incidents of domestic abuse, and the intensity of servicemembers' deployment schedules. We also considered recommendations made by DOD personnel and whether the installations had participated in pilot programs related to domestic abuse.

To facilitate the information-gathering process during our site visits, we created multiple discussion group question sets for different types of personnel. These included officers (including commanders); senior noncommissioned officers; junior enlisted servicemembers; Family Advocacy Program officials (including managers, case workers, and staff); victim advocates; law enforcement personnel; legal officials; health care officials; spouses of military servicemembers; and chaplains. Additionally, when possible, we arranged to speak with officer and enlisted groups of the same gender, in an effort to facilitate a more open discussion about domestic abuse issues. When possible, we also interviewed civilian social service and law enforcement officials. While some of the questions were the same or very similar, the content of the interview questions for discussion groups was tailored to the type of personnel interviewed. For example, when we were speaking with counselors, chaplains, and commanders who were responding to domestic abuse, our questions were tailored to their perceptions of the services that they provided and their perceptions of contributing factors to domestic abuse. When we were speaking with enlisted males and females, on the other hand, our questions were targeted at obtaining their views of what services were available and what these services were. Also, we did not always ask all questions in our question sets because of time limitations. We conducted a total of 69 discussion groups across all five installations between October 2, 2009, and December 4, 2009 (see table 1). The groups' size ranged from 2 to 17 participants.

**Table 1: Discussion Group Types by Service**

<b>Service</b>	<b>Group type</b>	<b>Number of groups</b>
<b>Air Force</b>	Enlisted personnel	2
	Officers	4
	Senior noncommissioned officers	1
	Spouses	1
	Family Advocacy Program officials	1
	Victim advocates	1
	Health care officials	1
	Legal officials	2
	Law enforcement officials	3
	Chaplains	2
<b>Army</b>	Enlisted personnel	1
	Officers	5
	Senior noncommissioned officers	1
	Spouses	0
	Family Advocacy Program officials	1
	Victim advocates	1
	Health care officials	1
	Legal officials	2
	Law enforcement officials	2
	Chaplains	1
<b>Navy</b>	Enlisted personnel	3
	Officers	3
	Senior noncommissioned officers	2
	Spouses	0
	Family Advocacy Program officials	2
	Victim advocates	2
	Health care officials	2
	Legal officials	4
	Law enforcement officials	1
	Chaplains	2

Service	Group type	Number of groups
Marine Corps	Enlisted personnel	2
	Officers	3
	Senior noncommissioned officers	2
	Spouses	1
	Family Advocacy Program officials	2
	Victim advocates	1
	Health care officials	1
	Legal officials	1
	Law enforcement officials	1
	Chaplains	1

Source: GAO.

Following the completion of our site visits, we analyzed the information we received during the discussion groups to identify common themes. To better understand these themes, we identified two distinct types of groups—those who were comprised of potential users of domestic abuse services and those who were comprised of domestic abuse service providers or responders. The potential user groups included officers, senior noncommissioned officers, junior enlisted servicemembers, and spouses of military servicemembers, while the service provider or responder groups included Family Advocacy Program officials, victim advocates, health care officials, legal officials, law enforcement officials, and chaplains. Of the 69 discussion groups, 31 of the groups were potential users of domestic abuse services, while the other 38 were service providers or responders. Although the resulting information cannot be generalized to the particular installation or service population, we believe that the views expressed during the discussion groups provided us with valuable insights into DOD’s efforts to prevent and treat domestic abuse.

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# Appendix II: DOD Actions Taken in Response to GAO's 2006 Recommendations

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The Department of Defense (DOD) addressed one of the recommendations in our 2006 report to improve its efforts to prevent and treat domestic violence and has taken steps toward implementing two more, but it has not taken any actions on four of the recommendations (see table 2 for a list of the recommendations and DOD's concurrence or nonconcurrence with them).<sup>1</sup> Specifically, DOD met the intent of our recommendation to clarify chaplain guidance concerning privileged communication. Regarding our recommendation on ensuring that commander actions related to domestic violence incidents are entered into all law enforcement systems, DOD has taken some actions to inform commanders of their responsibility, but the data on commanders' actions remain incomplete. For example, an Air Force official told us that, although these data are recorded in one of its law enforcement databases, commander actions are not reported to the Defense Incident-Based Reporting System. Without complete information, DOD lacks visibility into the military's response to domestic violence. DOD has also taken actions that have partially met the intent of our recommendation regarding a communication strategy for disseminating DOD guidance. Although DOD nonconcurred with the portion of this recommendation addressing the need for DOD to articulate its policy on distributing military protective orders, it did clarify its policy by issuing guidance in 2007. If DOD issues its draft Family Advocacy Program guidance in July 2010, we believe the department will have met the intent of this recommendation.

For the remaining four recommendations, however, DOD has not met our intent. First, DOD has not developed a comprehensive management plan to address deficiencies in the data captured in the Defense Incident-Based Reporting System, although it partially concurred with our recommendation. The data remain incomplete, and as a result, DOD cannot provide an accurate number of domestic violence incidents that are reported throughout DOD. Second, although DOD concurred with our recommendation to develop a plan to ensure that adequate personnel are available to implement recommendations made by the Defense Task Force on Domestic Violence, at present, DOD has not done so. Third, because DOD nonconcurred with our recommendation, it has not taken steps to ensure that domestic violence training data are collected for chaplains. According to a senior official from the Office of the Secretary of Defense, chaplains are properly trained on domestic violence issues during officer basic training. However, we believe that without accurate training data,

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<sup>1</sup> [GAO-06-540](#) and [GAO-10-577R](#).

DOD lacks visibility on whether chaplains are prepared to handle domestic violence issues. Fourth, while DOD concurred with our recommendation to develop an oversight framework for responding to the Task Force recommendations, it has not done so. After the office responsible for implementing the Task Force recommendations was closed in 2007, DOD stated that the responsibility for developing this framework was “mistakenly not reassigned.”

**Table 2: GAO's Recommendations in 2006 Report on Domestic Violence and DOD Response**

GAO recommendation	DOD Response			
	Concur	Partially concur	Partially non-concur	Non-concur
Develop, in conjunction with the service secretaries, a comprehensive management plan to address deficiencies in the data captured in DOD's domestic violence database that focuses on ensuring that accurate and complete data exist and that all instances in the Defense Incident-Based Reporting System and Family Advocacy Program Central Registry are matched and reported annually, as required in DOD's Manual 7730.47-M.		√		
Take appropriate steps, in conjunction with the service secretaries, to ensure all commander actions related to domestic violence incidents are entered in law enforcement systems.	√			
Develop a plan to ensure adequate personnel are available to implement pending recommendations made by the Defense Task Force on Domestic Violence.	√			
Establish a communication strategy for effectively informing DOD and service officials about new guidance implementing the Task Force recommendations, to include <ul style="list-style-type: none"> <li>a. issuing a revised DOD Family Advocacy Program directive that is consistent with interim guidance for implementing the Task Force recommendations and</li> <li>b. clearly articulating its policy regarding the distribution of military protective orders using a method that will ensure consistent application by all services and DOD.</li> </ul>			√	
Develop, in conjunction with the service secretaries, procedures and metrics to ensure that accurate, consistent, and timely domestic violence training data are collected for chaplains.				√
Develop, in conjunction with the service secretaries, chaplain guidance and training materials that highlight and clarify chaplain responsibilities concerning privileged communication.			√	
Develop and implement, in conjunction with the services, a DOD-wide oversight framework that includes a results-oriented evaluation plan for the implemented recommendations and a process for ongoing monitoring of and reporting on implementation.	√			

Source: GAO-06-540.

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# Appendix III: Incidents of Domestic Abuse as Reported in the Family Advocacy Program Central Registry

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Data in DOD's Family Advocacy Program Central Registry show that the numbers of reported incidents of domestic abuse have decreased over the last decade (see table 3). As discussed earlier, these data included only cases reported to the Family Advocacy Program offices. They do not include cases that involve law enforcement or clinical services provided by civilian organizations that were not reported to the Family Advocacy Program. As a result, they represent only a portion of all domestic abuse cases that occur throughout DOD. Officials in DOD's Family Advocacy Program office told us that this decrease reflects a similar decrease over this period in the civilian population. They attributed the overall decline in domestic abuse in the general population to what they believe has been a high level of public attention paid to domestic violence in the last decade. They cited, specifically, the Violence Against Women Act of 1994,<sup>1</sup> which provided grants for law enforcement training. Also, they believe that there is now more infrastructure for education on domestic violence and for changing behavior. Family Advocacy Program officials believe that the decline in military cases of domestic abuse may be in part the result of intimate partners' being separated more frequently from each other because of deployments and in part the result of other factors, such as public awareness and other prevention methods.

Despite the overall decrease in numbers of incidents since 2000, the numbers of these incidents increased from fiscal years 2008 to 2009. This recent increase corroborates information we received from military servicemembers and service providers during our site visits. Many groups we interviewed noted an increase in domestic abuse, which they attributed to the increased stress of repeated deployments to Iraq and Afghanistan, to financial stresses, and to other factors. Regarding trends shown in table 3 and figure 4, it is important to note that the numbers are not comparable over the entire decade. Beginning in fiscal year 2006, DOD began to include cases in its Central Registry involving "intimate partners" as well as spouses in its reporting of "substantiated incidents." If the change in definition is taken into account, the reduced incidence of domestic abuse over the decade would make the decrease even more pronounced (because excluding intimate partners in the numbers shown in the table for fiscal years 2006 through 2009 would lower the totals even more). However, as mentioned earlier, these numbers do not include significant populations, such as reservists and servicemembers who seek help from civilian organizations.

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<sup>1</sup> Violence Against Women Act of 1994, Pub. L. No. 103-322, § 40001 et Seq. (1994).

**Appendix III: Incidents of Domestic Abuse as  
Reported in the Family Advocacy Program  
Central Registry**

**Table 3: DOD's Family Advocacy Program's Central Registry Record of Incidents of Domestic Abuse**

<b>Fiscal year</b>	<b>Number of reported incidents</b>	<b>Number of "substantiated" incidents<sup>a</sup></b>	<b>Percentage of reported incidents that were "substantiated"</b>
2000	19,479	12,078	62
2001	18,398	10,967	60
2002	17,909	10,546	59
2003	17,072	9,845	58
2004	16,392	9,434	58
2005	15,894	8,306	52
2006	15,399	7,926 <sup>b</sup>	51
2007	15,260	7,859 <sup>c</sup>	52
2008	15,939	7,386 <sup>d</sup>	46
2009	18,208	8,223 <sup>e</sup>	45

Source: GAO's presentation of data from DOD's Family Advocacy Program Central Registry.

<sup>a</sup>Cases that are "substantiated" are determined by a board to have likely occurred and to have likely involved domestic abuse. This term is not meant in a legal sense and will no longer be used by DOD once it issues the draft DOD Instruction 6400.01, *Family Advocacy Program*, and its accompanying manual.

<sup>b</sup>In fiscal year 2006, 340 substantiated cases involving intimate partners are included in the total.

<sup>c</sup>In fiscal year 2007, 602 substantiated cases involving intimate partners are included in the total.

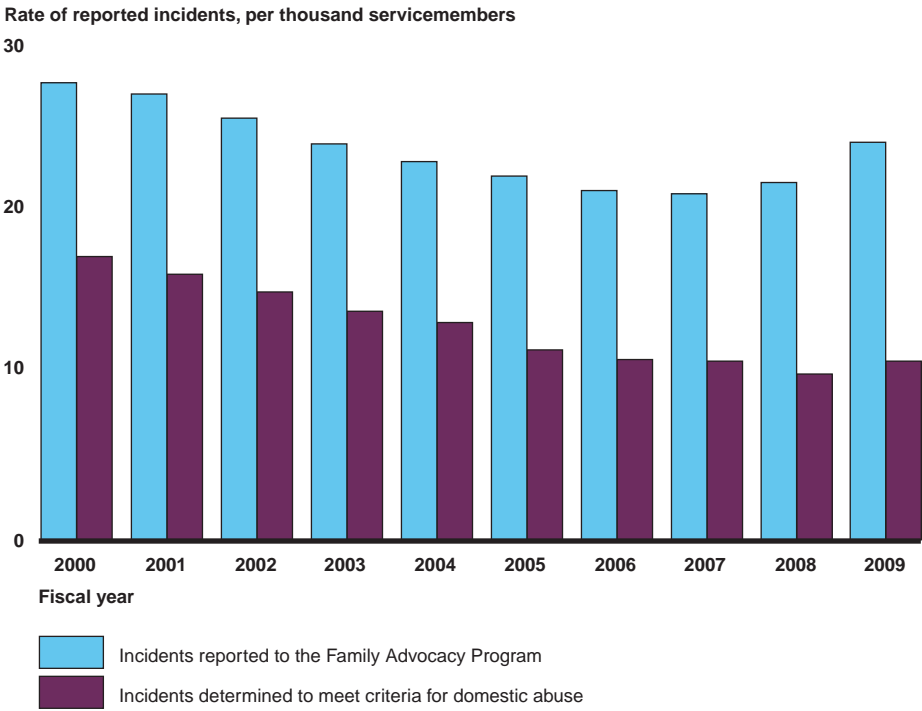
<sup>d</sup>In fiscal year 2008, 619 substantiated cases involving intimate partners are included in the total.

<sup>e</sup>In fiscal year 2009, 747 substantiated cases involving intimate partners are included in the total.

The rates of domestic abuse incidents reported to Family Advocacy Program offices per thousand servicemembers have also declined since 2000 but rose from 2008 to 2009 (see fig. 4).



**Figure 4: DOD's Family Advocacy Program Central Registry Record of the Rates of Domestic Abuse Incidents per Thousand Married Couples**



Source: GAO's presentation of data from DOD's Family Advocacy Program Central Registry

# Appendix IV: Comments from the Department of Defense



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

SEP 17 2010

Ms. Brenda S. Farrell  
Director, Defense Capabilities and Management  
U. S. Government Accountability Office  
441 G Street, N.W.  
Washington, DC 20548

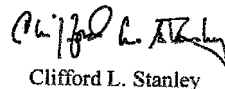
Dear Ms. Farrell:

This letter provides Department of Defense comments regarding the Government Accountability Office draft report GAO-10-923, "Military Personnel: Sustained Leadership and Oversight Needed to Improve DoD's Prevention and Treatment of Domestic Violence," dated September 2010.

The enclosure specifically addresses the GAO's assessment of DoD's efforts stated in the report and each of the GAO's recommendations. The audit provided valuable independent oversight and assessments of the Department's response to domestic violence. The Department agrees that there is room for improvement and is committed anew to developing a management plan that serves the Force efficiently and satisfies the GAO's intent with regard to its recommendations.

For questions concerning this report, please contact David Lloyd, Military Community and Family Policy, at (703) 602-5090 or david.lloyd@osd.mil.

Sincerely,

  
Clifford L. Stanley

Enclosure:  
As stated

**GAO REPORT – “MILITARY PERSONNEL: Sustained Leadership and Oversight Needed to Improve DoD’s Prevention and Treatment of Domestic Abuse,” dated September, 2010, (GAO code 351361/GAO-10-923)**

**Recommendations from prior GAO Reports concerning the DoD database of domestic violence:**

**Prior Recommendation 1:** That the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) (USD(P&R)) to develop, in conjunction with the Service Secretaries, a comprehensive management plan to address deficiencies that focuses on ensuring that accurate and complete data exist and that all instances in the Defense Incident-Based Reporting System (DIBRS) and Family Advocacy Program Central Registry are matched and reported annually, as required in DoD’s Manual 7730.47-M.

**DoD Comment:** *Concur with the GAO recommendation.* USD(P&R) is developing and implementing a management plan to meet the requirements for the domestic violence database in the statute. USD(P&R) acknowledges it has not created a fully compliant database, including the action taken by command in response to every reported incident of domestic violence for which there was sufficient evidence to take disciplinary action.

While the major problem DoD has encountered is the failure to enter all the appropriate law enforcement data and commanders’ actions into a database, DoD has taken steps to address the disparity of data in the law enforcement and Family Advocacy Program (FAP) databases. This disparity is due in part to the different purposes and definitions for these databases and in part due to the military’s process for responding to reports of domestic abuse and for data entry into the law enforcement and FAP databases. By either formal protocol or informal practice, incidents of domestic violence handled by civilian law enforcement systems are reported to military commanders or military law enforcement agencies. If reported to the latter, FAP is notified in compliance with the four Services’ specific policies. Similarly, DoD Directive 6400.1, Family Advocacy Program, and Services’ FAP policies require installation FAP staff to notify law enforcement authorities when a report of domestic abuse is received (unless it is a restricted report), whether or not the service member receives FAP clinical services. Recently, USD(P&R) offices have re-verified the data fields in the law enforcement database to ensure that domestic violence reports can be matched to FAP data on physical or sexual abuse of a spouse or intimate partner. As a result, FAP data with respect to domestic violence offenses should match military law enforcement data with respect to those offenses, but FAP data about domestic abuse incidents of emotional abuse or neglect that are not domestic violence offenses are excluded from the data matched to data in the law enforcement database.

Data regarding an incident involving a Service member that is reported to a commander but not to law enforcement or FAP would not be in either the law enforcement or the FAP databases, regardless of the commander’s action (no action, administrative action, or nonjudicial punishment). USD(P&R) is addressing this problem.

**Recommendation 2** That the Secretary of Defense direct the USD(P&R) to take appropriate steps, in conjunction with the Service Secretaries, to ensure all commander actions related to domestic violence incidents are entered in law enforcement systems.

**DoD Comment:** *Concur with the GAO recommendation.* The Department has made substantial efforts to ensure commanders are aware of their responsibilities for reporting disciplinary actions related to domestic violence to the law enforcement database. USD(P&R) will continue to explore strategies with the Services to increase compliance with this requirement.

Concern has been expressed that there may be misinterpretation of commanders' responses to reported incidents for which there was evidence sufficient for supporting disciplinary action. This concern arises because, under Rule 306(b) of the Manual for Courts-Martial Rules for Courts-Martial, commanders are expected to dispose of allegations in a timely manner at the lowest appropriate level of disposition, including taking no action or taking administrative action in lieu of taking disciplinary action. As the discussion section under Rule 306(b) notes,

Many factors must be taken into consideration and balanced, including, to the extent practicable, the nature of the offenses, any mitigating or extenuating circumstances, the character and military service of the accused, any recommendations made by subordinate commanders, the interest of justice, military exigencies, and the effect of the decision on the accused and the command. The goal should be a disposition that is warranted, appropriate, and fair.

In deciding how an offense should be disposed of, factors the commander should consider, to the extent they are known, include:

- (A) the character and military service of the accused;
- (B) the nature of and circumstances surrounding the offense and the extent of the harm caused by the offense, including the offense's effect on morale, health, safety, welfare, and discipline;
- (C) appropriateness of the authorized punishment to the particular accused or offense;
- (D) possible improper motives of the accuser;
- (E) reluctance of the victim or others to testify;
- (F) cooperation of the accused in the apprehension or conviction of others;
- (G) availability and likelihood of prosecution of the same or similar and related charges against the accused by another jurisdiction;
- (H) availability and admissibility of evidence;
- (I) existence of jurisdiction over the accused and the offense; and
- (J) likely issues.

The statutory requirement for including "a description of the substantiated allegation" for each incident of reported domestic violence that is submitted into the database would not include a record of how a commander would have considered these factors and evaluated them in making the disposition.

**New Recommendations:**

Recommendation 3: That the Secretary of Defense direct the USD(P&R) to finalize and issue DoD's Instruction 6400.01 on the Family Advocacy Program, which has been in draft since 2006, and the accompanying multi-volume Manual that is also currently in draft form.

**DoD Comment:** *Concur with the GAO recommendation.* The FAP Instruction and accompanying Manual have been resubmitted into the policy coordination process. As the GAO noted, the draft guidance increases the level of senior-level command involvement. The delay was attributable in part due to concerns about whether such increased involvement could be implemented during this period of high operational tempo. USD(P&R) believes that these concerns have been addressed.

**Recommendation 4:** That the Secretary of Defense direct the USD(P&R) to develop an oversight framework to guide the efforts of all organizations involved in preventing and treating victims and perpetrators of domestic abuse and evaluate their effectiveness. At a minimum, such a framework should include long-term goals, objectives, and milestones; strategies to be used to accomplish goals; and criteria and metrics for measuring progress. As part of that oversight framework,

(a) Collect and analyze data on factors that DoD has identified as contributing to domestic abuse to help ensure that the Department's efforts to prevent and treat domestic abuse result in reduced frequency and severity of domestic abuse incidents and reduced recidivism among alleged abusers.

(b) Develop and use metrics to measure the effectiveness of campaigns to raise awareness of domestic abuse services available.

**DoD Comment:** *Concur in part with the GAO recommendation.* USD(P&R) agrees that an oversight framework for DoD organizations addressing domestic violence is appropriate and is working to re-establish it.

However, both the Defense Task Force on Domestic Violence and the GAO have recognized that domestic violence is not unique to DoD but is a national problem. Since this recommendation has national implications, DoD believes that rather than independently developing such long-term goals, objectives and milestones, criteria, and metrics they should be the product of cooperation with the Department of Justice (DoJ) and the Department of Health and Human Services (HHS), both of which have primary federal responsibility to administer the Violence Against Women Act, and with the Veterans Affairs (VA), to ensure as much national comparability as appropriate. DoJ and HHS administer grant programs to state and local public agencies and to nonprofit agencies for prevention, intervention, and treatment of domestic violence, and grants to conduct related research. They also issue contracts for evaluation of these grant programs. The VA provides treatment to both veterans and to members of the Reserve Component whose experiences during military deployment may have created or

exacerbated risk factors for domestic violence. DoD is ready to work with these federal agencies to select uniform goals, objectives and metrics on domestic violence from among any that they have developed, to adapt any that are not directly applicable to the Active Component of the military, and to work collaboratively to create them if they do not exist.

In order to set goals, objectives, and milestones to reduce the frequency of domestic violence it is first necessary to ascertain the prevalence of this problem to establish a baseline. DoD has already taken steps to accomplish this. USD(P&R) has contributed funding to the Centers for Disease Control and Injury Prevention for the National Intimate Partner and Sexual Violence Surveillance System (NISVSS), which included military samples. As a result, by the end of 2011 both the civilian sector and DoD will have reliable estimates of the annual extent of domestic violence, whether reported or unreported, in both the civilian and active component military sectors for use as baselines.

In the meantime, OSD FAP has independently implemented several annual metrics on domestic abuse and analyzes their trends for DoD: (1) the number of restricted reports to their domestic abuse victim advocates and FAP staff, for the percentage of these that become unrestricted, and for the number of unrestricted reports to such victim advocates and FAP staff; (2) the rates of reports and substantiated reports per 1,000 married couples in the Active Component over time from the data in the Services' FAP Central Registries (which takes into the account the increase or decrease in the Active Component force, rather than merely increase or decreases in the number of reports and substantiated reports.); (3) recidivism data on alleged abusers in substantiated reports (with plans to set a goal for reducing recidivism after the forthcoming policy on clinical treatment of abusers takes effect); and (4) effectiveness of domestic abuser treatment for those who successfully complete FAP treatment. A joint-Service FAP research project to standardize the ratings for incidents' severity is well underway. Such standardization is a necessary step for establishing severity baselines and then setting a goal for reduction in severity.

The Services have already begun the collection and analysis of data on factors that contribute to domestic abuse. However, the application of this in particular strategies must take Service differences, complexity and cost into account – a “one size fits all” approach may not be appropriate. Similarly, the Services have the responsibility for increasing public awareness of domestic violence and resources to address it and have developed Service-wide and local approaches to implement this effort. As such, the Services may be in the best position to develop and use metrics to measure the effectiveness of their efforts. If other federal agencies establish cost-effective measures for evaluating the effectiveness of the national or local public awareness campaigns that they sponsor by grant or contract, DoD will consider the feasibility of applying or adapting these measures.

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# Appendix V: GAO Contact and Staff Acknowledgments

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## GAO Contact

Brenda S. Farrell, (202) 512-3604 or farrellb@gao.gov

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## Acknowledgments

In addition to the contact above, Marilyn Wasleski, Assistant Director; Cynthia Grant; Nicole Harms; Elizabeth Kowalewski; Joanne Landesman; Alberto Leff; Eli Lewine; Ann Rivlin; Cynthia Saunders; Beverly Schladt; Dale Wineholt; and Elizabeth Wood made key contributions to this report.

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